



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN¹¹

GROVER SELLERS
ATTORNEY GENERAL

Honorable Homer Garrison, Jr., Director
Texas Department of Public Safety
Camp Mabry
Austin, Texas

Dear Sir:

Opinion No. 0-6247

ATTN: J. B. Draper

Re: Authority of the Department of
Public Safety to restrict a
person to wearing of glasses;
to a specific route, town or
county.

Your letter of September 30 submitted to this department, reads in part as follows:

"Does the Department of Public Safety have the authority to restrict a person to wearing glasses if it is determined his vision is below normal; to a specific route, town, or county?"

Article 6687a, Sec. 12(a) Vernon's Annotated Civil Statutes of the State of Texas reads as follows:

"The Department upon issuing an operator's, commercial operator's, or chauffeur's license shall have authority, whenever good cause appears, to impose restrictions suitable to the licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee as the Department may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee."

"The maxim of interpretation of statutes is that expression of one thing is exclusion of another." City of Corpus Christi v. McMurry, 90 S.W. (2d) 868.

After a careful examination of the statute, it is our opinion that the Department of Public Safety is limited to imposing restrictions suitable to the licensee's driving ability

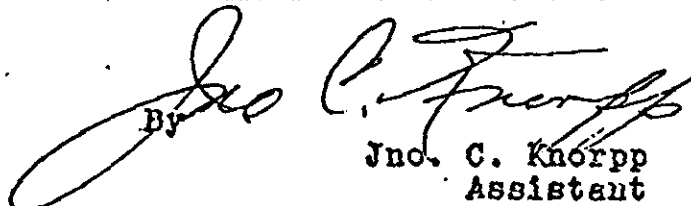
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with respect to the type of or special mechanical control devices required on a motor vehicle or such other restrictions applicable to the licensee to assure the safe operation of a motor vehicle by the licensee. This limits the department to imposing restrictions of a mechanical nature such as wearing glasses, but does not confer upon the department the authority to restrict the licensee to a certain area such as a town or county or to a specific route.

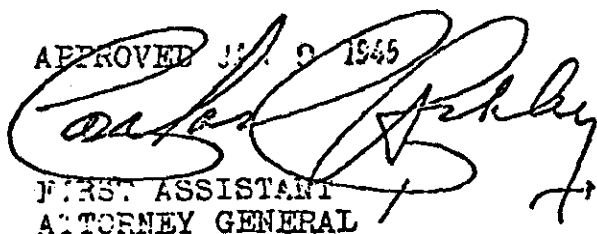
Trusting that this letter fully answers your inquiry,
we are

Yours very truly,

ATTORNEY GENERAL OF TEXAS

By 
Jno. C. Knorpp
Assistant

JCK/JCP

APPROVED  1945
FIRST ASSISTANT
ATTORNEY GENERAL

A.W.

APPRO
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BY 
CHAIR